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09/997,313	11/30/2001	Woong Hee Chae	HI-0056	3016

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EXAMINER

DOAN, DUYN MY

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/997,313

Applicant(s)

CHAE, WOONG HEE

Examiner

Duyen M Doan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 6/15/3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Detail Action

Claims 1, 3-25 are amended.

Claim 2 is canceled.

Foreign Priority is granted.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abrol et al (us pat 6542735) (hereinafter Abrol) in view of Davis et al (us pat 6701449) (hereinafter Davis).

As regarding claim 1, Abrol disclosed allocating a socket corresponding to a call control processor (CCP) in each one of a plurality of target processors (col.8, lines 39-67); communicating, via a first protocol, with each one of the plurality of target processors using the allocated socket (Abrol, col.8, lines 39-66, allocating socket using TCP); and releasing the socket allocated to a selected target processor based on a reception state of a status message (col.8, lines 32-66).

Abrol did not expressly disclosed transmitting a status confirmation message, via a second protocol different than the first protocol, to the selected target processor if the status message corresponding to the selected target processor is not received by the CCP; determining whether the status confirmation message has been received by the target processor; and determining whether to release the allocated socket according to the determination of the receipt of the status confirmation message.

Davis taught transmitting a status confirmation message, via a second protocol different than the first protocol, to the selected target processor if the status message corresponding to the selected target processor is not received by the CCP (col.6, lines 1-43); determining whether the status confirmation message has been received by the target processor (col.6, lines 1-43); and determining whether to release the allocated socket according to the determination of the receipt of the status confirmation message (col.6, lines 1-43, col.8, lines 1-22).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the teaching of Davis to the method of Abrol to send confirmation message to the target processor and determine whether to allocate or release the socket, for the purpose of improving the method for monitoring and analyzing status information of network appliances (see Davis col.1, lines 45-47).

As regarding claim 3, Abrol-Davis disclosed the status confirmation message is transmitted to the selected target processor if the status message is not received from the selected target processor within a prescribed period of time (see Davis col.5, lines

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51-67, col.6, lines 1-43). The same motivation was utilized in claim 1 applied equally well to claim 3.

As regarding claim 4, Abrol-Davis disclosed the prescribed period of time commences when the CCP sends a status request message to the selected target processor (see Davis col.7, lines 14-31). The same motivation was utilized in claim 1 applied equally well to claim 4.

As regarding claim 5, Abrol-Davis disclosed determining whether the selected target processor is in a down state according to a response to the status confirmation message (see Davis col.5, lines 51-67, col.6, lines 1-43); and releasing the socket allocated to the selected target processor if the target processor is in a down state (see Davis col.6, lines 1-43, col.8, lines 1-22). The same motivation was utilized in claim 1 applied equally well to claim 5.

As regarding claim 6, Abrol-Davis disclosed the target processor is in a down state if no response is received to the status confirmation message (see Davis col.6, lines 1-43, col.8, lines 1-22).

As regarding claim 7, Abrol-Davis disclosed determining whether the corresponding selected target processor has an error according to a response to the status confirmation message (see Davis col.5, lines 51-67, col.6, lines 1-43, col.8, lines 1-22); and allocating a new socket rather than releasing the formerly allocated socket according to the result of the determination (see Abrol col.8, lines 39-66). The same motivation was utilized in claim 1 applied equally well to claim 7.

As regarding claim 8, Abrol-Davis disclosed the selected target processor is determined to have an error if a response to the status confirmation message is received (see Davis col.6, lines 1-43). The same motivation was utilized in claim 1 applied equally well to claim 8.

As regarding claim 9, Abrol-Davis disclosed determining that the selected target processor is in a down state when the CCP receives no response to the status confirmation message and determining that the selected target processor has a socket error when the CCP receives a response to the status confirmation message (see Davis col.6, lines 1-43, col.8, lines 1-22). The same motivation was utilized in claim 1 applied equally well to claim 9.

As regarding claim 10, Abrol-Davis disclosed the socket allocated to the selected target processor is released if it is determined that the selected target processor is in the down state, and wherein the socket allocated to the selected target processor is re-allocated if it is determined that the selected target processor has the socket error (see Davis col.6, lines 1-43, col.8, lines 1-22). The same motivation was utilized in claim 1 applied equally well to claim 9.

As regarding claim 11, Abrol-Davis disclosed the first protocol comprises a Transmission Control Protocol (TCP), and the second protocol comprises a User Datagram Protocol (UDP) (see Abrol col.5, lines 19-28, using TCP, UDP).

As regarding claim 12, Abrol-Davis disclosed releasing the socket allocation further comprises of transmitting a status change message generated on the basis of the status message to the selected target processor when the status message is

received (see Davis col.5, lines 51-67, col.6, lines 1-43). The same motivation was utilized in claim 1 applied equally well to claim 12.

As regarding claim 13, Abrol-Davis disclosed the reception state is one of received and not received (see Davis col.6, lines 1-43). The same motivation was utilized in claim 1 applied equally well to claim 13.

As regarding claim 14, Abrol-Davis disclosed communicating, via a first protocol, with each of a plurality of target processors using a socket allocated to each of the plurality of target processors (see Abrol col.8, lines 39-66); transmitting, via a second protocol different than the first protocol, a status confirmation message to prescribed ones of the plurality of target processors based on a reception state of a corresponding status message (see Davis col.5, lines 51-67, col.6, lines 1-43); and performing socket management based on a response to the status confirmation message (see Davis col.6, lines 1-43). The same motivation was utilized in claim 1 applied equally well to claim 14.

As regarding claim 15, Abrol-Davis disclosed the reception state of the corresponding status message is one of received and not received (see Davis col.6, lines 1-43). The same motivation was utilized in claim 1 applied equally well to claim 15.

As regarding claim 16, Abrol-Davis disclosed the status confirmation message is transmitted to the prescribed ones of target processors if the corresponding status message is not received from the prescribed ones of the target processors within a

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prescribed period of time (see Davis col.6, lines 1-43, col.7, lines 14-31). The same motivation was utilized in claim 1 applied equally well to claim 16.

As regarding claim 17, Abrol-Davis disclosed the prescribed period of time commences when a status request message is sent to the selected target processor (see Davis col.7, lines 14-31). The same motivation was utilized in claim 1 applied equally well to claim 17.

As regarding claim 18, Abrol-Davis disclosed the socket allocated to the prescribed target processors is withdrawn and a new socket is allocated when a response to the status confirmation message is received (see Davis col.8, lines 1-22). The same motivation was utilized in claim 1 applied equally well to claim 18.

As regarding claim 19, Abrol-Davis disclosed the socket allocated to the prescribed target processor is released when a response to the status confirmation message is not received (see Davis col.6, lines 1-43, col.8, lines 1-22). The same motivation was utilized in claim 1 applied equally well to claim 19.

As regarding claim 20, Abrol-Davis disclosed the first protocol comprises a Transmission Control Protocol (TCP), and the second protocol comprises a User Datagram Protocol (UDP) (see Abrol col.5, lines 19-28, using TCP, UDP).

As regarding claim 21, Abrol-Davis disclosed allocating, via a first protocol, a socket between a call control processor (CCP) and each of a plurality of target processors (see Abrol col.8, lines 39-67); sending, via a second protocol different than the first protocol, a request status message from the CCP to each of the target processors using the corresponding socket (see Abrol col.8, lines 39-67, using TCP);

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sending a status confirmation message from the CCP to non-responding target processors (see Davis col.3, lines 48-55, col.6, lines 1-43) and one of reallocating the socket to the non-responding processors and releasing the socket to the non responding processor (see Davis col.6, lines 1-43). The same motivation was utilized in claim 1 applied equally well to claim 21.

As regarding claim 22, Abrol-Davis disclosed the status confirmation message is sent to target processors that fail to send a status message to the CCP in response to the status request message within a prescribed period of time (see Davis col.6, lines 1-43, col.7, lines 14-31). The same motivation was utilized in claim 1 applied equally well to claim 22.

As regarding claim 23, Abrol-Davis disclosed a new socket is allocated to a non-responding target processor if the non-responding target processor responds to the status confirmation message (see Davis col.6, lines 1-43). The same motivation was utilized in claim 1 applied equally well to claim 23.

As regarding claim 24, Abrol-Davis disclosed the socket to the non-responding target processor is released if the target processor fails to respond to the status confirmation message (see Davis col.6, lines 1-43). The same motivation was utilized in claim 1 applied equally well to claim 24.

As regarding claim 25, Abrol-Davis disclosed the first protocol comprises a Transmission Control Protocol (TCP), and the second protocol comprises a User Datagram Protocol (UDP) (see Abrol col.5, lines 19-28, using TCP, UDP).

Response to Arguments

Applicant's arguments with respect to claims 1, 3-25 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duyen M. Doan whose telephone number is (571) 272-4226. The examiner can normally be reached on 9:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner
Duyen Doan
Art unit 2143

DD


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SUPERVISORY PATENT EXAMINER
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